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**TO:**

**Name:** Mail Stop AMENDMENT  
Art Unit 3775/Examiner Richard R. Shaffer

**Firm:** U.S. Patent & Trademark Office

**Fax No.:** 571-273-8300

**Subject:** U.S. Patent Application No. 10/802,906

Gary K. Michelson

Filed: March 17, 2004

ORTHOPEDIC IMPLANT WITH LOCKING

ELEMENT (as amended)

Attorney Docket No. 101.0058-03000

Customer No. 22882

Confirmation No.: 5309

**FROM:**

**Name:** Thomas H. Martin, Esq.

**Phone No.:** 330-877-2277

**No. of Pages (including this):** 10

**Date:** June 10, 2009

**Confirmation Copy to Follow:** NO

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**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; total amount of \$1,110.00 to cover the three-month extension fee is to be charged to Deposit Account No. 50-3726) and Reply to Office Action are being facsimile transmitted to the U.S. Patent and Trademark Office on June 10, 2009.

  
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FORM PTO-1083

Attorney Docket No.: 101.0058-03000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Gary K. Michelson

Serial No: 10/802,906

Filed: March 17, 2004

For: ORTHOPEDIC IMPLANT WITH  
LOCKING ELEMENT (as amended)

Confirmation No.: 5309

Art Unit: 3775

Examiner: Richard R. Shaffer

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply to Office Action in response to the Office Action dated December 10, 2008 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three-month extension of time to respond to the above office action.
- ☐ A Terminal Disclaimer is enclosed.
- ☐ An Information Disclosure Statement Under 37 C.F.R. § 1.97(b) with Form PTO/SB/08 is enclosed.
- ☒ The total amount of \$1,110.00 to cover the three-month extension fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

Date: June 10, 2009

By: 

Thomas H. Martin

Registration No. 34,383

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
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FORM PTO-1083

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